

# CITY COUNCIL DIRECTIVE

Coordinated Rewrite of Zoning  
& Building Construction Regulations  
Titles 15, 17, 18 & 20

Building & Zoning Advisory Committee (BZAC)  
created to oversee work & report recommendations

Fourteen member organizations  
represented on BZAC

Recommendations to the  
City Plan Commission

Final recommendations to the  
El Paso City Council for adoption

# MAJOR CODE ADOPTIONS TO-DATE



Building Code  
Plumbing Code  
Mechanical Code  
Fuel/Gas Code  
Fire Prevention Code  
Electrical Code  
Residential Code  
Model Energy Code  
Building Rehabilitation Code  
Building & Construction Administrative Code  
Unsafe Structures Abatement Code  
Building Numbering Ordinance  
Alcoholic Beverage Licensing  
Wind Borne Construction Debris  
Building & Standards Commission  
Off-premise Sign Regulations  
Infill Development Overlay  
Business Taxes & Licensing  
Third Party Plan Review & Inspection  
Dark Sky Regulations

# PROPOSED CODE AMENDMENTS

**TITLE 20** – New Zoning Regulations

**TITLE 18** – New Landscape Regulations

**TITLE 18** – Revised Fees (Sign Permits)

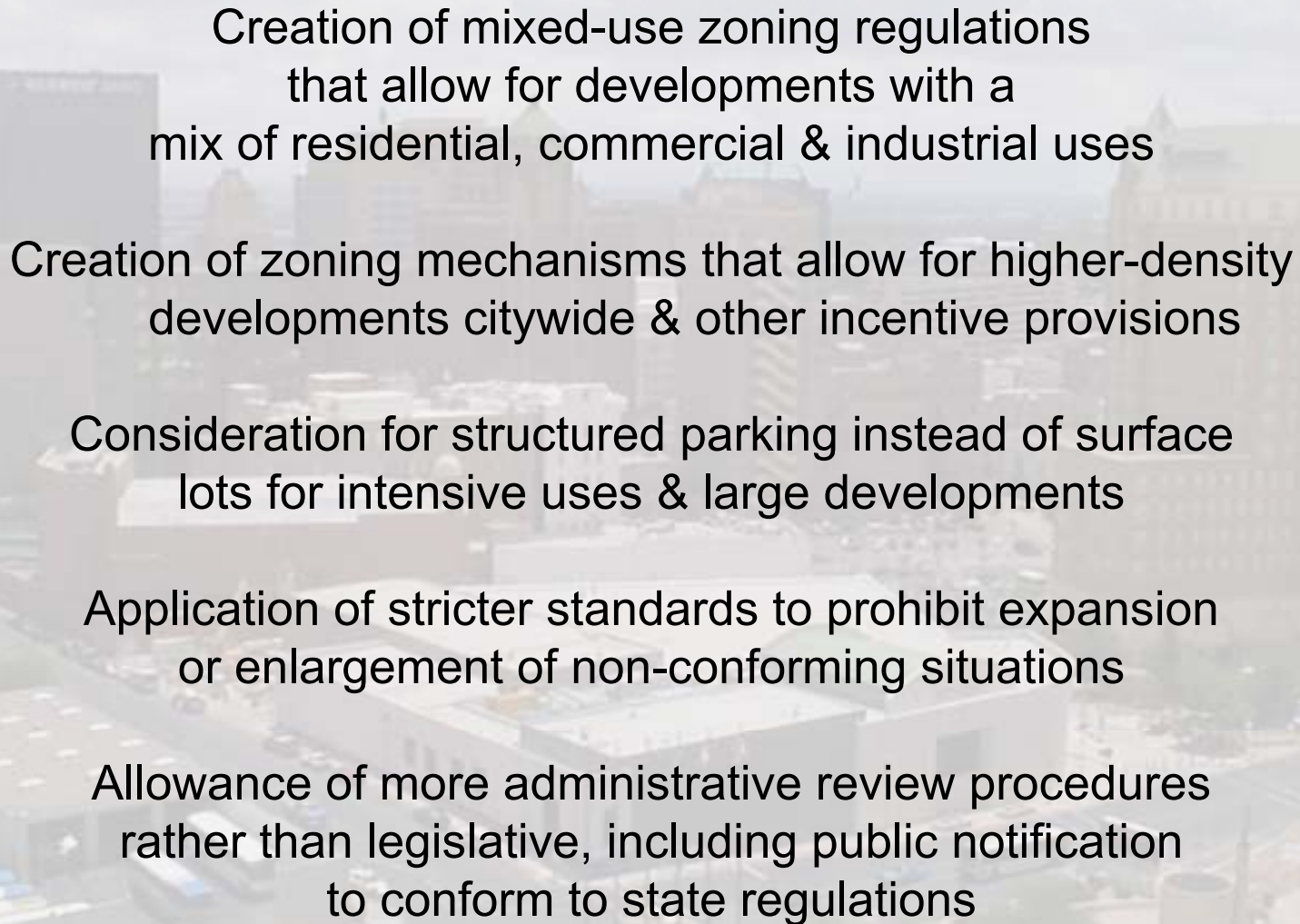
**TITLE 9** – Deletion of Tree Pest Control Board

**TITLE 9** – New Tree Care Regulations

**TITLE 5** – Revised Licensing Fees (Zoning Uses)

**TITLE 2** – Revised duties for  
Construction Board of Appeals

# ZONING CODE REWRITE – BROAD POLICY DIRECTION

- 
- Creation of mixed-use zoning regulations that allow for developments with a mix of residential, commercial & industrial uses
  - Creation of zoning mechanisms that allow for higher-density developments citywide & other incentive provisions
  - Consideration for structured parking instead of surface lots for intensive uses & large developments
  - Application of stricter standards to prohibit expansion or enlargement of non-conforming situations
  - Allowance of more administrative review procedures rather than legislative, including public notification to conform to state regulations



# ZONING CODE REWRITE – OTHER CONSIDERATIONS

User-friendly formatting & text streamlining

Clarifying language for ease of interpretative decisions

No zone deletions to reduce non-conformancy situations

No City-initiated rezoning necessary

Mixed-Use district additions to  
complement smart growth strategies

No use modifications within a zone;  
in some instances less restrictive

# ZONING CODE REWRITE – CHAPTER FORMAT

Chapter 20.02, General Provisions & Definitions

Chapter 20.04, Administrative Review Procedures

Chapter 20.06, Zoning Districts & Map

Chapter 20.08, Permissible Uses

Chapter 20.10, Supplemental Use Regulations

Chapter 20.12, Density & Dimensional Regulations

Chapter 20.14, Off-Street parking & Loading Regulations

Chapter 20.16, Screening & Fencing Regulations

Chapter 20.18, Sign Regulations

Chapter 20.20, Historic Designations

Chapter 20.22, Nonconforming Situations & Enforcement

Chapter 20.24, Penalty

## GENERAL PROVISIONS & DEFINITIONS

### Summary of Major Changes

- ❑ Adds definitions for new uses as proposed on the Table of Permitted Uses
- ❑ Deletes definitions that are no longer used in the text
- ❑ Revises existing language to reflect legal & technological changes

## ADMINISTRATIVE PROVISIONS

### Summary of Major Changes

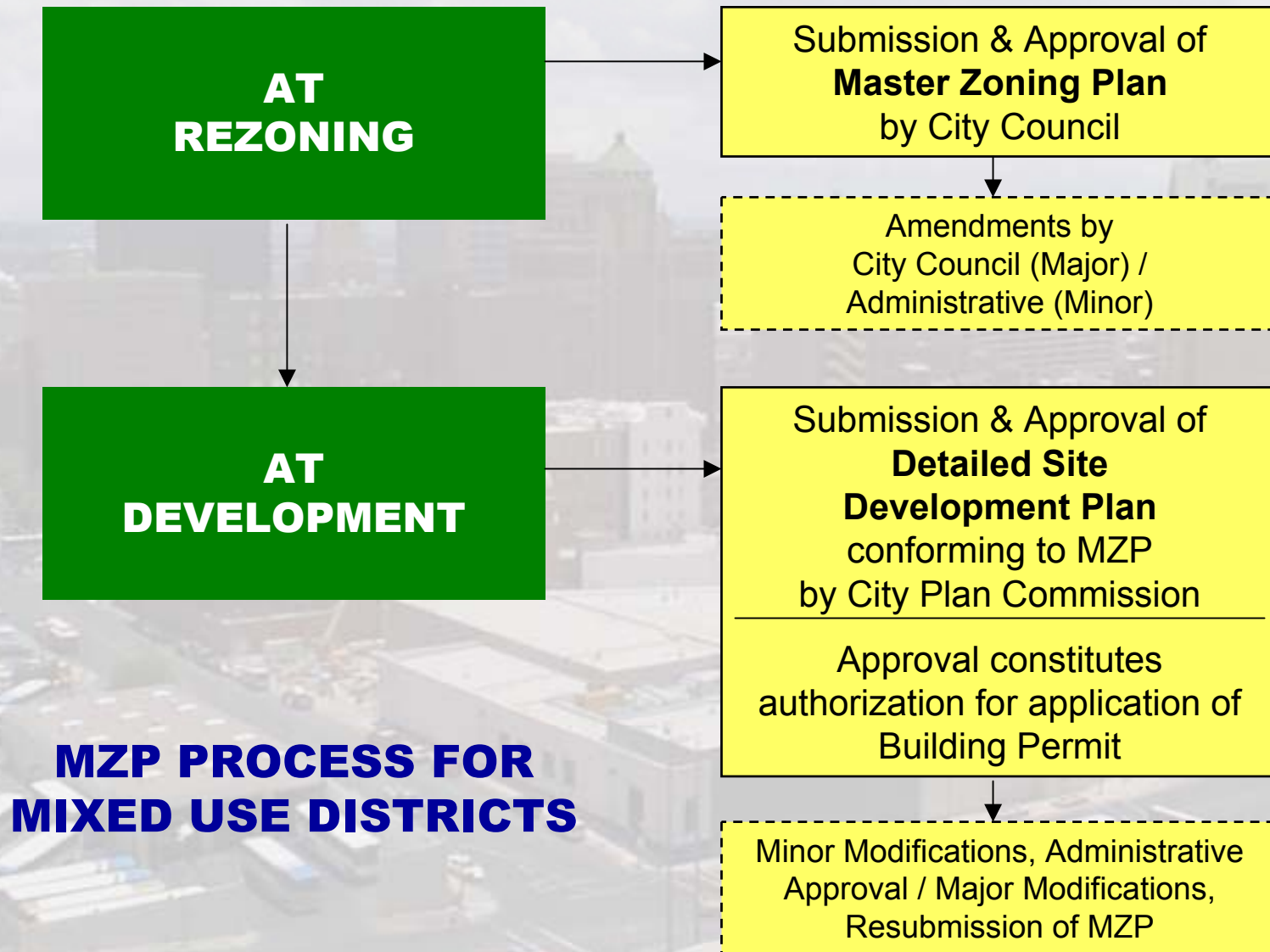
- ❑ Addition of a section describing the process for application & approval of a Master Zoning Plan (required in the new Mixed Use zoning districts)
- ❑ Grouping of sections pertaining to building permits, licenses & Certificates of Occupancy together; eliminating duplicated text in those sections
- ❑ Revised language regarding non-conforming uses & classification of uses; eliminated text duplicated in Chapters 20.08 & 20.22



## MASTER ZONING PLAN

- Applicant to propose land uses & locations, densities, lot dimensions & setbacks, building height, buffers, open space & other zoning regulations for the development
- Includes a site plan and a detailed narrative report describing the purpose, characteristics, components and phasing of the proposed mix of uses, & how the development relates to the comprehensive plan
- MZP to be reviewed by the City Plan Commission & approved by City Council as part of rezoning

# ZONING CODE REWRITE – CHAPTER 20.04



## **MASTER ZONING PLAN**

Major Amendments to an approved MZP requiring new application & City Council approval:

- Change to approved uses
- Significant change (10%) to location, area or boundary of a use
- Significant increase (10%) in approved number of dwelling units
- Reduction in open space
- Significant (5%) increase in height or lot coverage
- Significant (10%) reduction in setbacks

## **MASTER ZONING PLAN**

Minor Amendments to an approved MZP approved administratively

Detailed site development plan:

- Required prior to building permits being issued
- May be submitted concurrently with MZP or later
- May be submitted for entire development or in phases
- May be approved by the City Plan Commission if in accordance with MZP



## ZONING DISTRICTS & MAP Summary of Major Changes

### ZONING DISTRICTS (37 Total)

- ☐ Residential (15)
- ☐ Commercial (6)
- ☐ Industrial & Manufacturing (4)
- ☐ Special Purpose (12)

### OVERLAY DESIGNATIONS (6 Total)

- ☐ Historic Preservation
- ☐ Infill Development
- ☐ Neighborhood Conservation
- ☐ Planned Residential Development
- ☐ Restricted Residential Mixed Use
- ☐ Transfer of Development Rights

# ZONING CODE REWRITE – CHAPTER 20.06

## **RESIDENTIAL ZONES**

Light Residential (up to 7 dwelling units per acre)

R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, RMH

Medium Residential (7.1 to 20 dwelling units per acre)

A-1, A-2, A-3, A-O

High Residential (20.1 dwelling units or more per acre)

A-4, A-3/O, A-M

# ZONING CODE REWRITE – CHAPTER 20.06

## **COMMERCIAL ZONES**

Neighborhood Commercial  
C-OP, C-1

Community Commercial  
C-2, C-3

Regional Commercial  
C-4, C-5

## **INDUSTRIAL & MANUFACTURING ZONES**

Light Industrial  
Q, M-1

Heavy Industrial  
M-2, M-3

## **SPECIAL PURPOSE ZONES**

R-F	Ranch & Farm
PMD	Planned Mountain Development
S-D	Special Development
U-P	Union Plaza
P-R I	Planned Residential I
P-R II	Planned Residential II
P-C	Planned Commercial
P-I	Planned Industrial
SRR	Special Residential Revitalization
R-MU	Residential Mixed Use
G-MU	General Mixed Use
I-MU	Industrial Mixed Use



## PERMISSIBLE USES Summary of Major Changes

- ☐ Reformatted for ease of reference
- ☐ Redefined and added new uses
- ☐ Reference to supplemental regulations
- ☐ Uses assigned to twenty categorical descriptions
- ☐ Total of 390 land uses
- ☐ Adds language that describes purpose of land use groupings
- ☐ Sets procedure for classification of new or unlisted uses
- ☐ Defines when a change in use occurs

## SUPPLEMENTAL USE REGULATIONS Summary of Major Changes

- ❑ Combines all zoning-related supplemental use regulations into one Chapter
- ❑ Adds supplemental regulations as determined to be appropriate & necessary
- ❑ Revises existing regulations to reflect current conditions & technology
- ❑ Permits future code amendments to be processed in a more efficient manner

## **NEW SUPPLEMENTAL REGULATIONS FOR**

- Accessory Use: Portable Storage Containers
- Automotive Uses
- Feed Yards
- General Warehousing/Office Warehousing
- Live-work Flex Units
- Mixed-use Developments
- Residential Mixed Use (RMU)
- General Mixed Use (GMU)
- Industrial Mixed Use (IMU)
- Recreational Vehicle parks
- Temporary Uses
- Transfer of Development Rights

## **SUPPLEMENTAL REGULATIONS WITH SIGNIFICANT CHANGE**

- Personal Wireless Service Facilities (PWSF)
- Freight & Passenger Terminals
- Manufactured Home Parks
- Outdoor Flea Markets
- Residential Manufactured Home Subdivisions
- Self-storage Warehousing
- Swimming Pools & Spas



## DENSITY AND DIMENSIONAL REGULATIONS

### Summary of Major Changes

- ❑ Creates table format categorized by zone for minimum lot area requirements, lots widths & depths, maximum densities, yard standards, open space requirements, & height standards
- ❑ Introduces cumulative minimum yard standards for residential zones:
  - R-1, R-2, R-2A, R-3, R-3A, R-4, R-5 (Residential)
  - A-1, A-2, A-3, A-4 (Apartment)
  - A-O (Apartment/Office)
  - A-M (Apartment/Mobile Home Park)

# ZONING CODE REWRITE – CHAPTER 20.12

- ❑ Maintains current densities through minimum lot size requirements in traditional districts
- ❑ Clarifies height limits by using feet as a standard instead of number of stories
- ❑ Reduces or eliminates minimum district area requirements for:
  - RMH (Residential Manufactured Home Subdivision)
  - PR-I & PR-II (Planned Residential)
  - P-C (Planned Commercial)
  - P-I (Planned Industrial)
- ❑ Includes three mixed-use districts with flexible standards governed through approval of a master zoning plan
- ❑ Consolidates multiple chapters

## OFF-STREET PARKING, LOADING & STORAGE STANDARDS Policy Considerations

- ❑ Use parking as a critical element of site design
- ❑ Consider structured parking over surface lots for intensive uses & large developments
- ❑ Consider variations in the individual use by days & times of operation
- ❑ Downsize spacing to reduce land consumption
- ❑ Require standardized traffic engineering analyses to determine effect of proposed parking on traffic conditions for certain large projects & redevelopment opportunities
- ❑ Establish parking generation ratios by use & modify to site-specific factors

## OFF-STREET PARKING, LOADING & STORAGE STANDARDS Summary of Major Changes

- ❑ Clarifies & amends the parking requirements for individual uses & ensures that requirements are set for all uses
- ❑ Simplifies the standards & streamlines the process for an applicant to use shared parking or off-site parking
- ❑ Allows a percentage of compact spaces & bicycle spaces where appropriate for the use
- ❑ Modernizes the code to address storage containers & other storage issues
- ❑ Codifies acceptable use of non-paved surfaces (chert or gravel/screenings) within the requirements of the MS4 & TCEQ; such that the use of these surfaces is allowed in limited circumstances



## SCREENING AND FENCING REGULATIONS Summary of Minor Changes

- ❑ Modified requirements for construction of screening walls in new developments
- ❑ More flexibility in wall height provided that a structural design is approved
- ❑ Greater use of administrative review of modification requests

## **SIGN REGULATIONS** **Policy Considerations**

- ☐ Consider size & number of signs as related to public safety
- ☐ Consider regulations from other cities & review national trends
- ☐ Consider improving community appearance
- ☐ Reduce number & size of signs to enhance aesthetics
- ☐ Keep regulations simple (easier to administer and enforce)
- ☐ Allow less signage in residential & neighborhood areas & concentrate larger signage along highway-oriented thoroughfares
- ☐ Reduce height of all signs

## **SIGN REGULATIONS**

### **Summary of Major Changes**

- ☐ Incorporates billboard regulations as adopted by City Council on July 2, 2002
- ☐ Adds new on-premise & off-premise sign types
- ☐ Simplifies definitions & regulations based on zoning district
- ☐ Reduces height & size of pole signs & monument signs in all commercial & manufacturing districts

# ZONING CODE REWRITE – CHAPTER 20.18

- ❑ Prohibits pole signs in the A-O, C-OP, C-1, P-C, P-I, R-MU, G-MU, & I-MU districts
- ❑ Encourages monument signs instead of pole signs in the C-2, C-3, C-4, Q, M-1, M-2, & M-3 districts
- ❑ Increases size of wall signs in the C-2, C-3, C-4, Q, M-1, M-2, & M-3 districts
- ❑ Strengthens regulations for portable & temporary signs

# Car Manufacturer Freeway and Arterial Frontage

Existing

350-450 Sq.Ft.

15 x 30

45 Ft.

BLDG

20 Ft.

**Proposed**

200 Sq.Ft

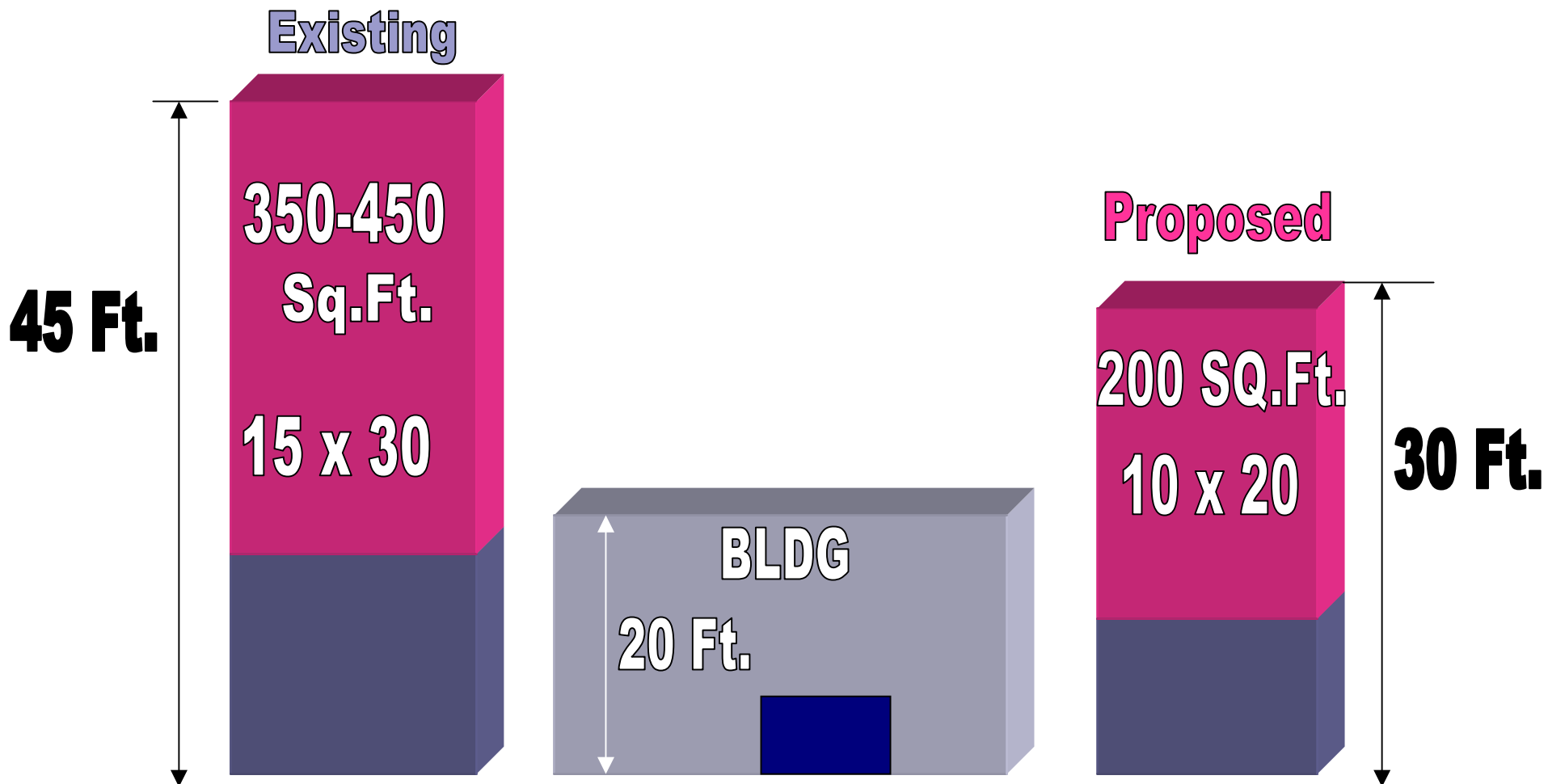
10 x 20

30 Ft.

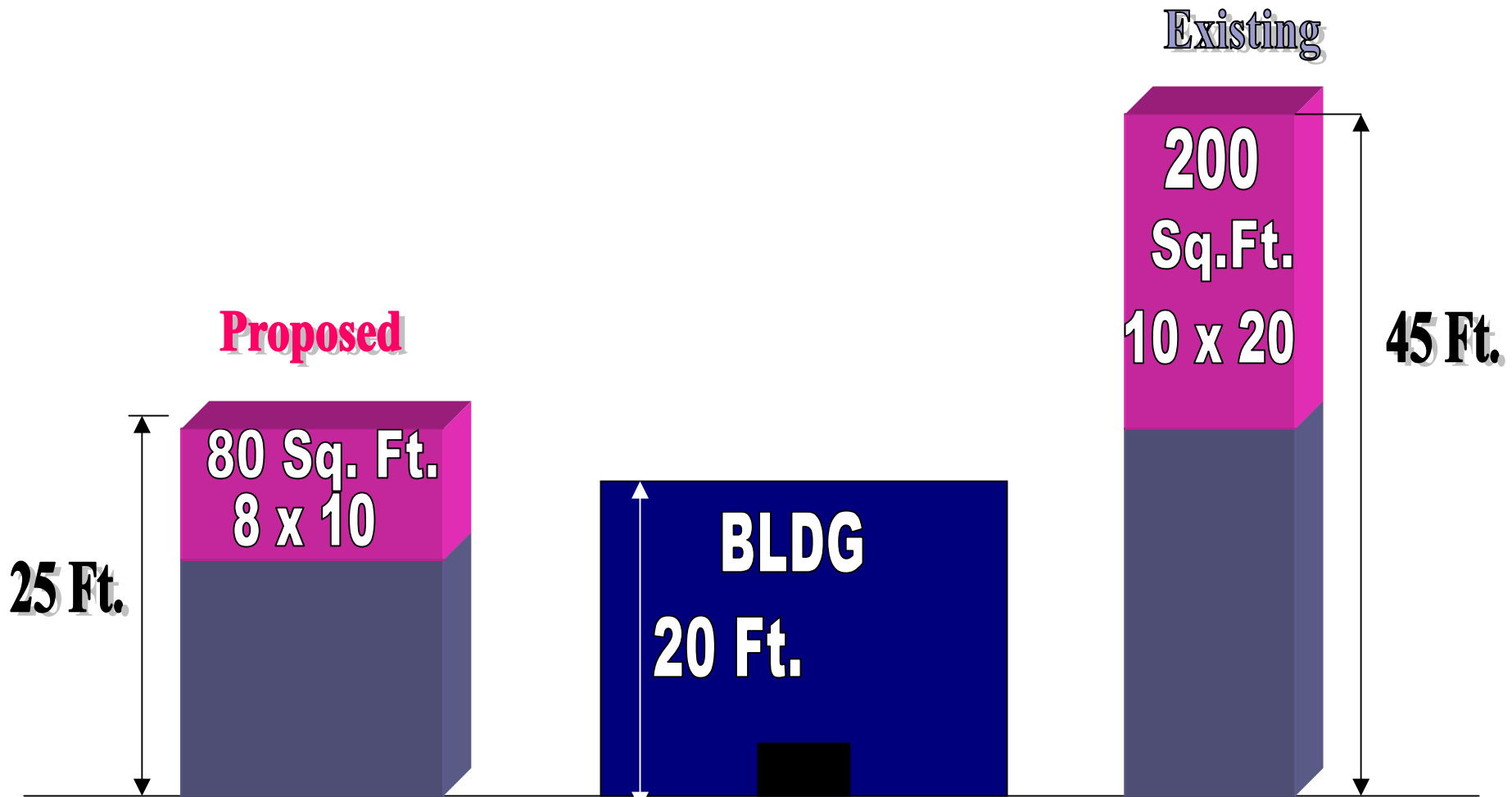
**1 in = 10 Ft.**



# Car Manufacturer Freeway and Arterial Frontage



# Detached Building in Shopping Centers



# Detached Building in Shopping Center

Existing

200 Sq. Ft.  
10 X 20

45 ft.

BLDG

20 Ft.

Proposed

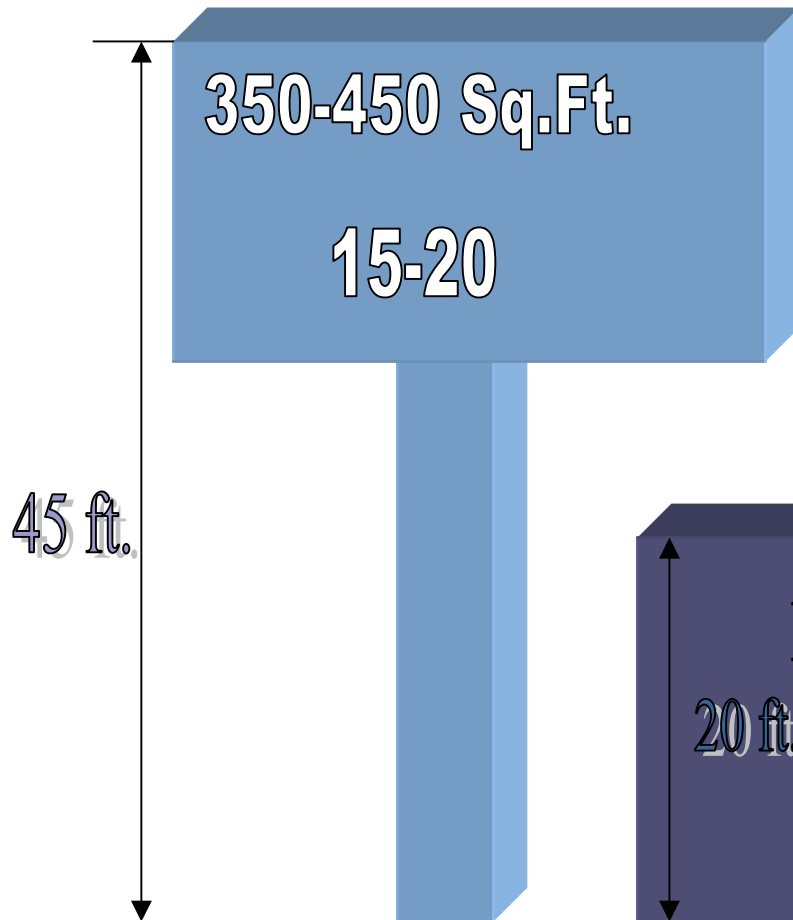
80 Sq. Ft.  
8 x 10

25 ft.

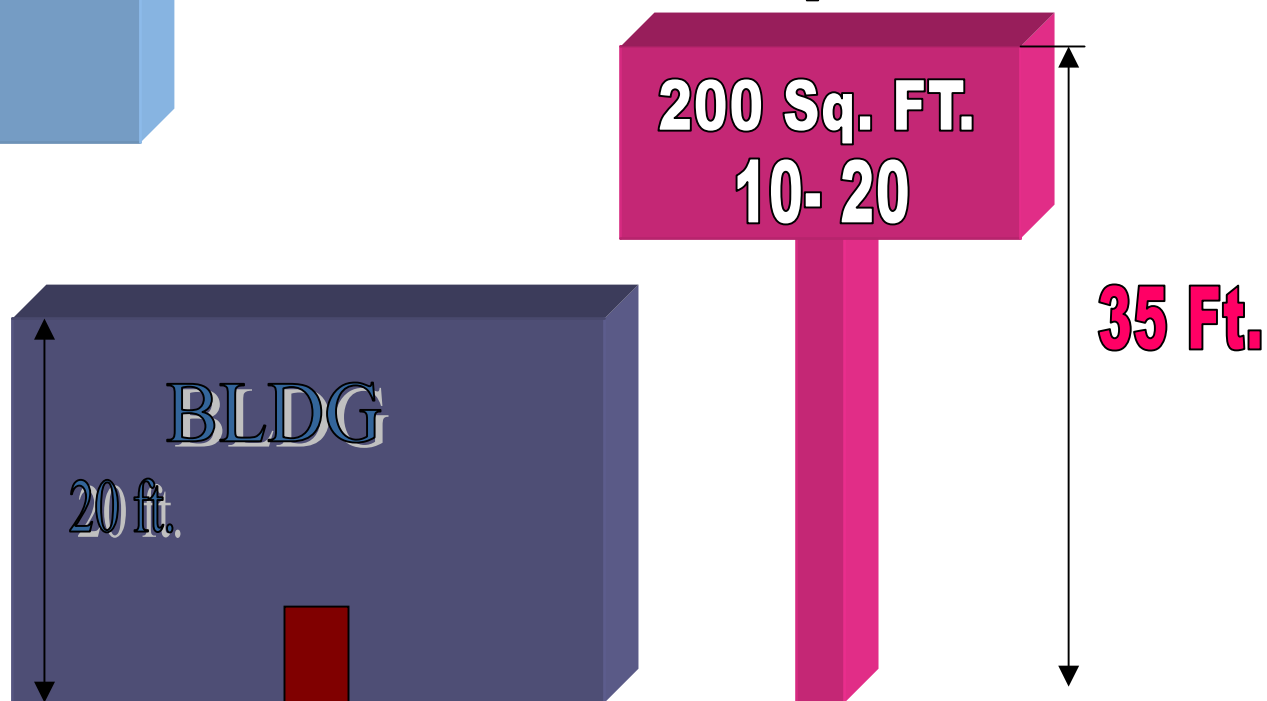
1 in = 10 ft.

# Freestanding Interstate or Freeways

Existing



Proposed



1 in. = 10 ft.

# Freestanding Without Arterial Frontage

Existing

200-250 Sq.Ft.  
10 x 25

35 ft.

20 ft.

BLDG

Proposed

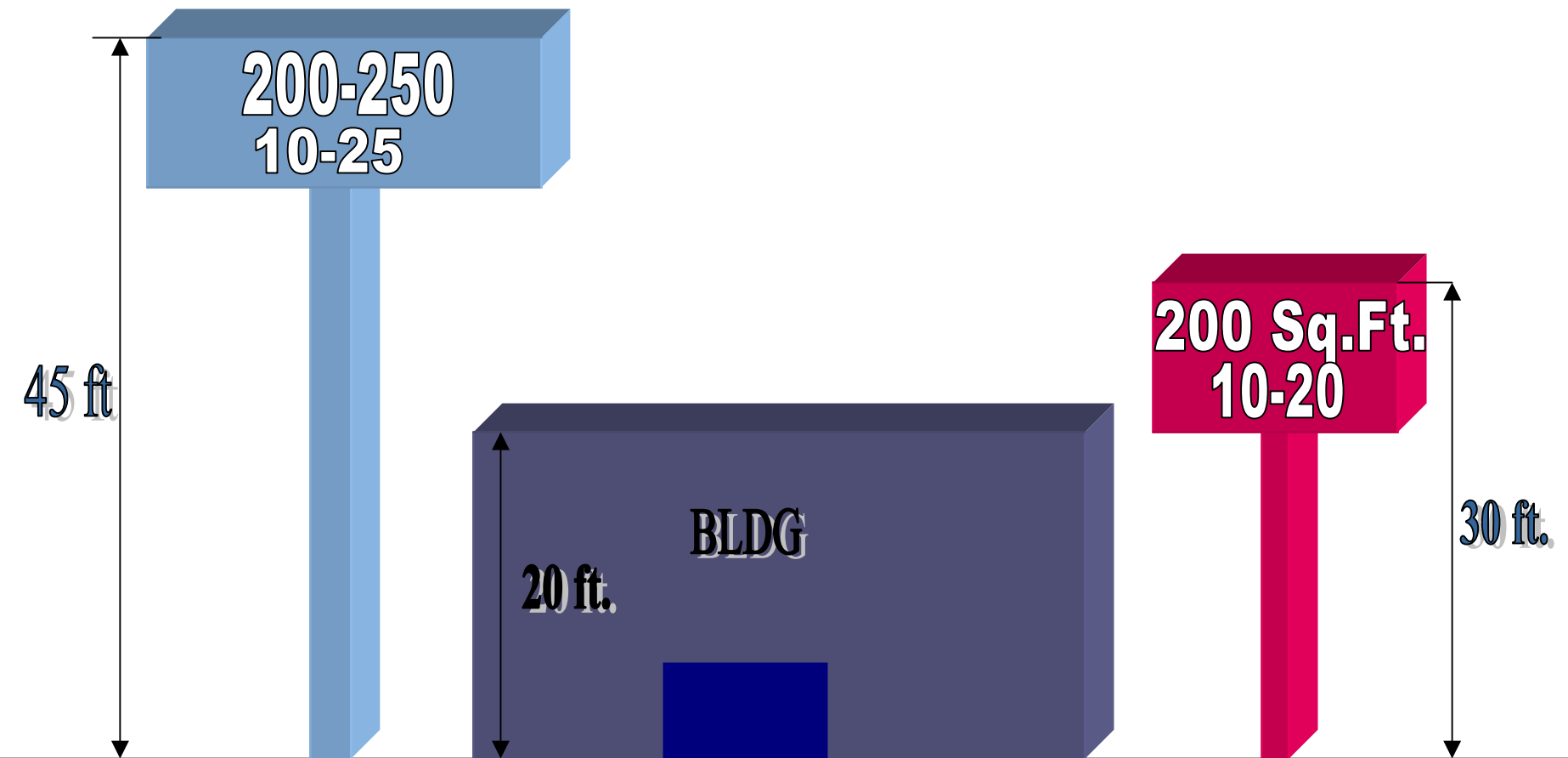
150 Sq.Ft.  
10 x 15

25 Ft.

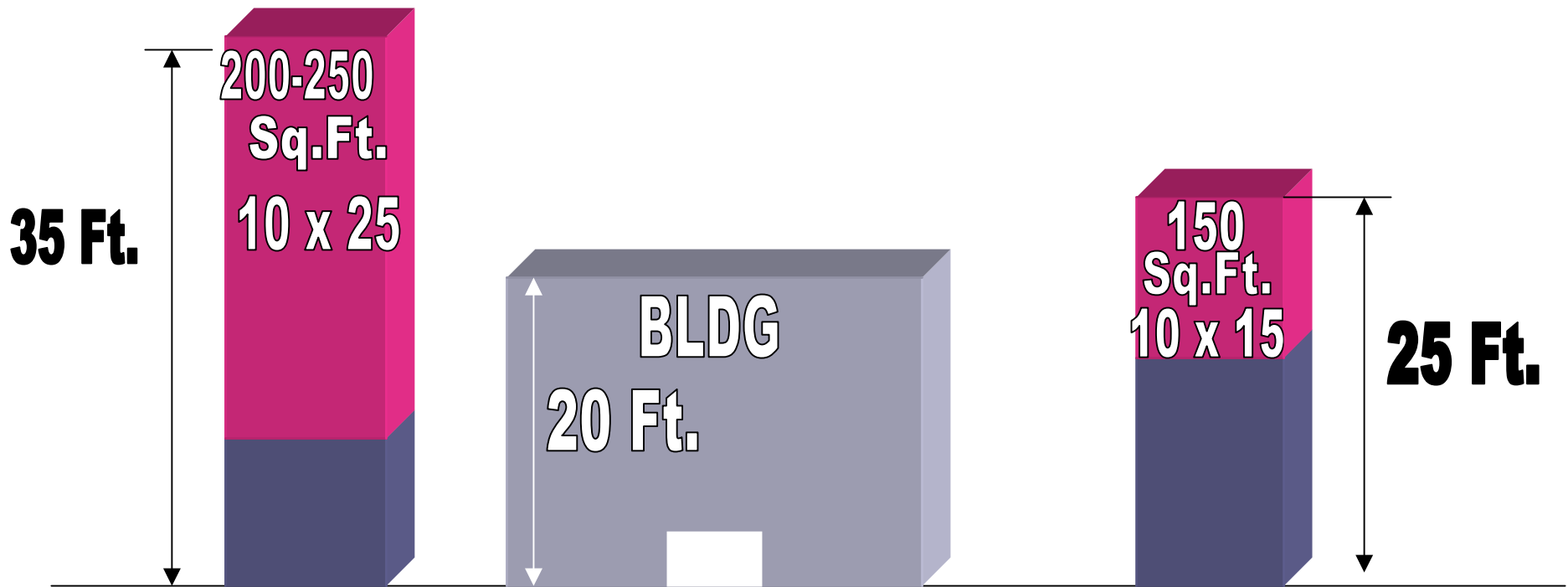
1 in = 10 Ft.



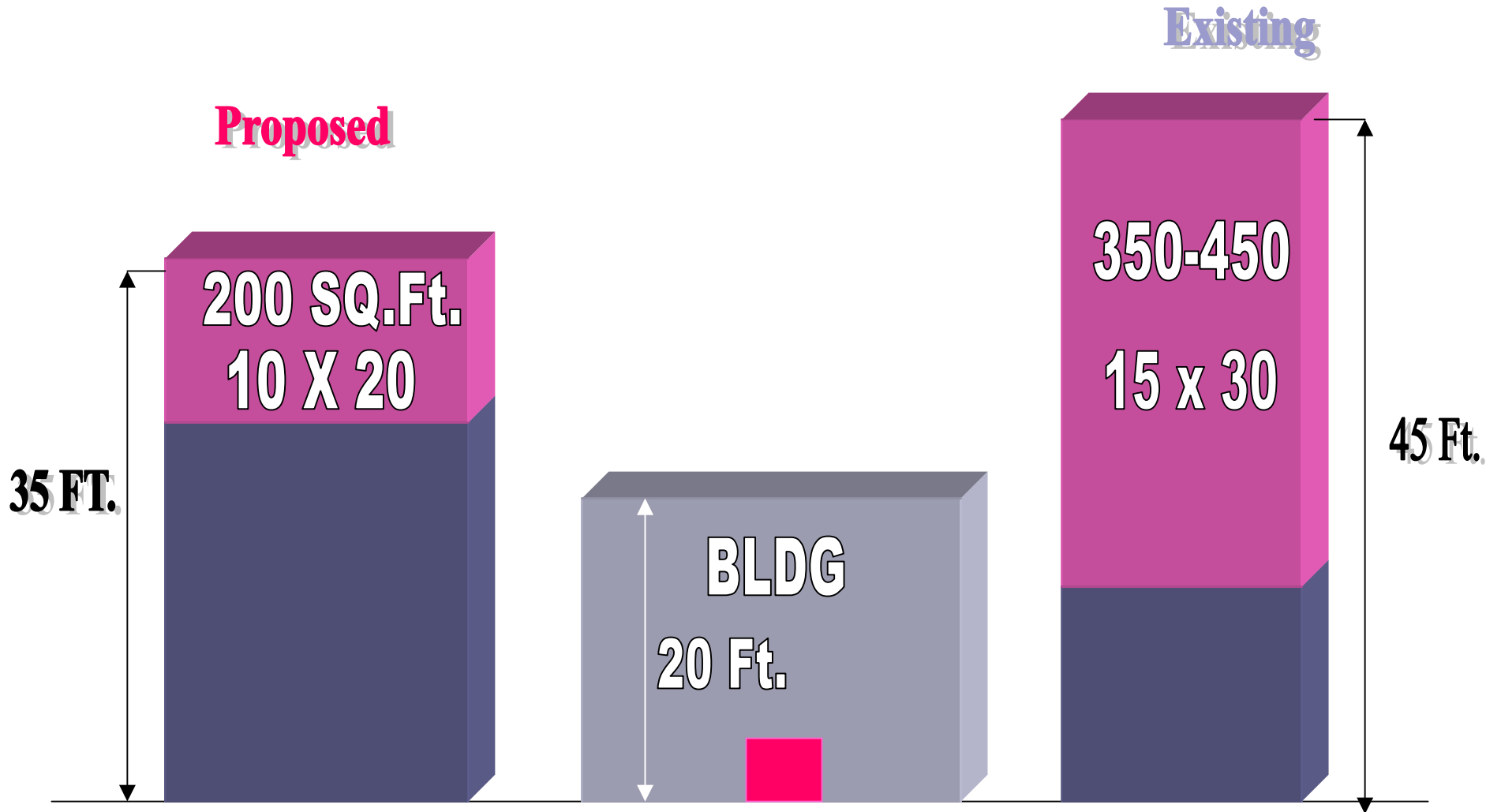
# Freestanding Arterial Frontage



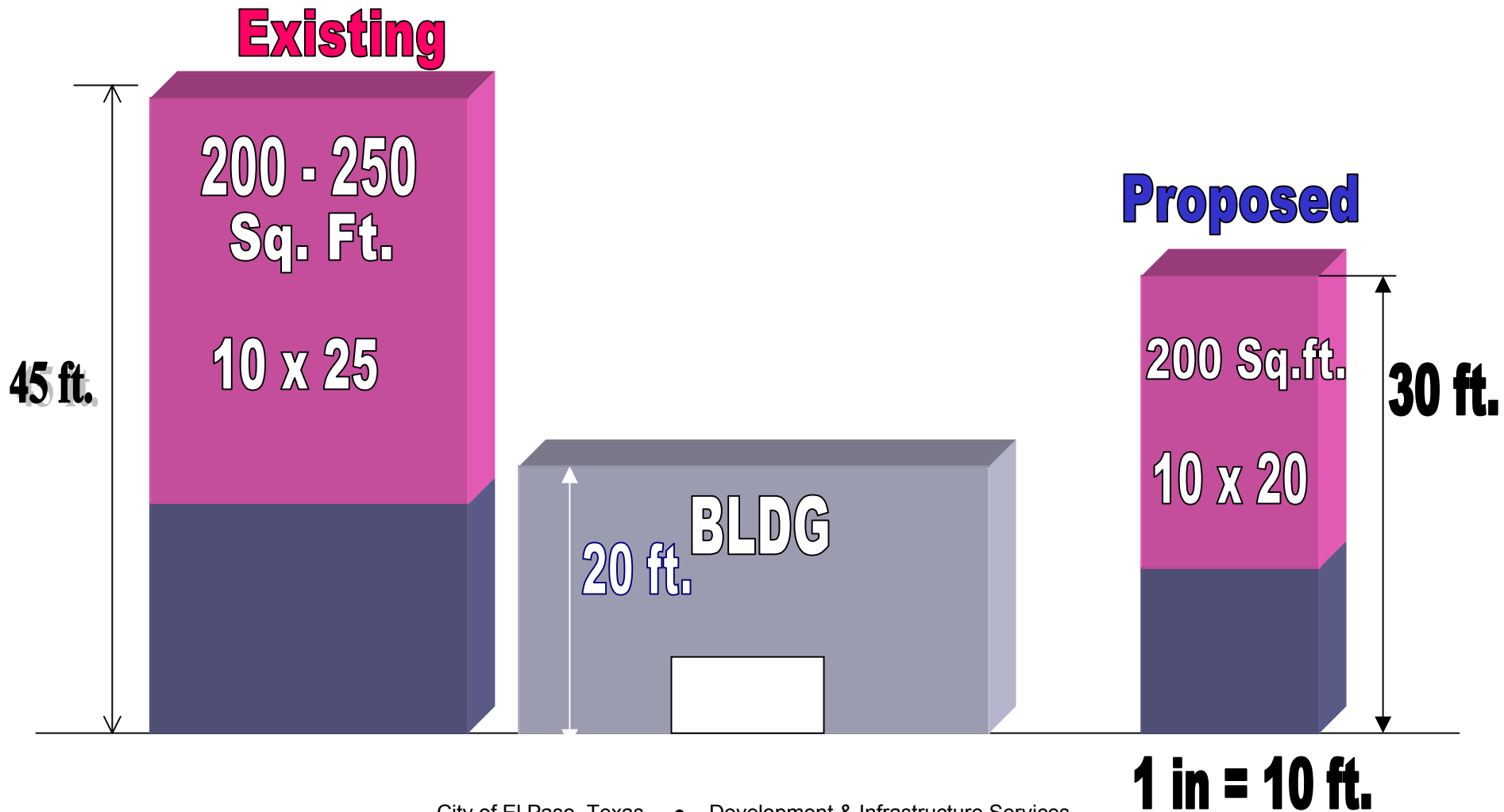
# Monument Sign Without Arterial Frontage



# Monument Signs With Freeway Frontage



# Monument Signs With Arterial Frontage



## **HISTORIC DESIGNATIONS**

**As approved by City Council – May 2006**

### **Title 20 (Zoning)**

Designation of historic properties, application processing and approval requirements

### **Title 2 (Administration)**

Creation, membership and duties of the Historic Landmark Commission;  
Designation and duties of the Historic Preservation Officer

### **Title 3 (Finance)**

Tax Abatement Program for improvements to historic properties



## **TITLE 20 - HISTORIC DESIGNATIONS**

### **Summary of Major Changes**

- Definitions updated & revised
- Revised landmark designations
- National Register participation
- Modified process for alterations, changes, demolition & administrative review
- Adds a section on enforcement procedures
- Redefines the section on “Prevention of Demolition by Neglect”
- References the new Tax Abatement Program for improvements to Historic Properties
- Adds a section on Historic Landmark Recognition

## **TITLE 2 - HISTORIC LANDMARK COMMISSION** **Summary of Major Changes**

- Modify the composition of the Historic Landmark Commission to include professionals with expertise in historic preservation & residents of historic districts
- Define the duties of the HLC, revise HLC meeting schedule & timeline for processing cases
- Include the position of Historic Preservation Officer & a general description of duties

## **TITLE 3 - TAX ABATEMENT PROGRAM**

### **Summary of Major Changes**

- Defines eligible properties
- Sets a schedule for tax relief for a specified period of years based on the value of approved improvements to the property
- Describes the application process

## NON-CONFORMING SITUATIONS Summary of Major Changes

- ❑ General policy prevents expansion of non-conforming uses and structures
- ❑ Clarifies the circumstances under which a non-conforming use or structure may be continued or rebuilt
- ❑ Clarifies the parking requirements for non-conforming uses and buildings
- ❑ Deletes obsolete provisions

# **ZONING CODE REWRITE – CHAPTER 20.24**

## **PENALTY No Substantive Changes**



# PROPOSED CODE AMENDMENTS

**TITLE 18** – New Landscape Regulations

**TITLE 18** – Revised Fees (Sign Permits)

**TITLE 9** – Deletion of Tree Pest Control Board

**TITLE 9** – New Tree Care Regulations

**TITLE 5** – Revised Licensing Fees (Zoning Uses)

**TITLE 2** – Revised duties for  
Construction Board of Appeals